THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.6222 of 2006

Dt.28.3.2006

Between:

Ragolu Sesharathanam … Petitioner

And

State of Andhra Pradesh, rep. By its
Principal Secretary, Municipality and Urban
Development Department, Secretariat,
Hyderabad and others.
…Respondents

ORDER:

The petitioner questions the action of respondents 1 to 3 in not demolishing illegal and unauthorized construction made by the 4th respondent in spite of repeated representations submitted by the petitioner as illegal and arbitrary.

The case of the petitioner is that he is the owner and possessor of the house property bearing No.22c-14-3 situated at Punyamurthulavari Street, Powerpet, Eluru City. Adjacent to the

house of the petitioner towards Southern side, there was a site belonging to the 4th respondent bearing Door No.22c-14-4 and he constructed a building encroaching the municipal road on the Western side without leaving any site. Therefore, the petitioner made representations on 18.7.2005, 25.7.2005, 30.10.2005 and 2.11.2005. But the said representations have not been considered by respondents 2 and 3 and no action has been taken.

Heard the learned counsel for the petitioner and the learned Government Pleader on behalf of the respondents.

I am of the opinion that whenever any representation has been filed, it is just and proper to enquire with the said allegations and pass appropriate orders as to whether any illegal constructions are being made or not.

Having regard to the facts and circumstances of the case, the 2nd respondent is directed to consider and dispose of the said representation of the petitioner after giving reasonable opportunity to the petitioner as well as 4th respondent and pass appropriate orders within three months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No order as to costs.

V.ESWARAIAH, J.

28.3.2006

Note: Issue copy within two days

B.O.

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